

## REMARKS

### **35 U.S. C. §102-**

#### **U.S. Patent No. 5,553,917 to Adat et al.**

The currently amended claims and new claims do not read on the Adat reference and are not anticipated by it. Amended claims 1, 14 and 24 all specify at least two (2) guide rods in their amended version. The Adat reference does not have two (2) guide rods, but rather a single guide rail.

The amended independent claims 1, 14, and 24 also specify that the guide rods are adapted for internal mounting in a seat. The Adat reference only discloses an external backrest to be rested on an office chair, see Column 2, lines 14-16 and lines 54-56 and figure 1.

New claims 25-32, all of which further claim the currently prosecuted embodiments, add structural limitations that do not read on Adat and that are not anticipated by Adat.

## Support

The claim amendment to two guide rails is supported at page 3, line 25 and throughout the application and in all figures at reference numeral 12. The amended claim language for internal mounting is also supported at page 3, line 25 et seq., and in the figures at reference numeral 10.

Support for new claim 25 is at page 3, line 25 through page 4, line 8.

Support for new claims 26 and 27 appears in all figures.

Support for new claim 28 is found at page 3, line 25 et seq. and in all figures.

Support for new claim 29 is found on page 5, lines 8-26 and in the figures.

Support for new claims 30 and 31 is found on page 5, lines 8 –26 and in all figures.

Support for claim 32 is found on page 4, line 16.

## *U.S. Patent No. 5,791,733 van Hekken et al.*

Applicant respectfully disagrees that the van Hekken reference anticipates the recited structural limitations of the independent claims. Van Hekken does not disclose an *archable* pressure surface. The element of van Hekken singled out by the office action as anticipating the recited archable pressure surface of the present limitations is element 58. Element 58 is “an angle iron” which comprises a “horizontally elongated lumbar support bar.” See, van Hekken Column 3, lines 49-53. This rigid element cannot be arched by a traction element, and is not engaged with a traction element, as is also recited.

Van Hekken does not disclose a "guide rail," nor does it disclose two guide rods. Element 54 recited in the office action as anticipating a guide rail, is defined in van Hekken as a "flat base" (see, Column 3, line 41). The flat base 54 is in fact a portion of the rigid assembly with the angle iron. It is not a guide rail. Neither does the lumbar plate base 54 move itself along a guide rail (see, Column 3, line 51). Rather it slides along a "back pan," (See, Column 3, line 34 and line 47 together with Column 3, lines 33 – 57).

Van Hekken does not disclose any weight distribution surface. The element recited in the office action as anticipating the weight distribution surface is element 32. Element 32 is not a flexible weight distribution surface. Rather it is a "low friction lumbar sheet." (See, Column 3, lines 1-2.) While it may be considered "flexible," it has no resilience, and therefore would distribute no weight. Rather it serves as a "low friction" sheet to mediate the travel of the rigid angle iron 58 over the padding of the seat, 18.

## II. Conclusion

Currently pending claims 1 –32 include independent claims 1, 14, and 24. The amended independent claims and new claims put all claims in condition for allowance, because all grounds for rejection have been overcome, traversed or rendered moot. Wherefore, applicant respectfully requests favorable consideration of the pending claims.

Respectfully submitted,

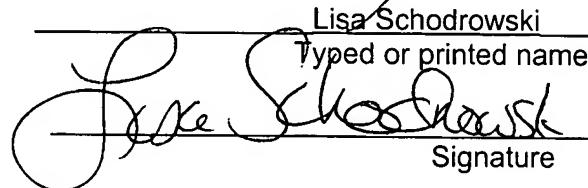


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